

State of Washington  
Department of Ecology  
Yakima Washington

IN THE MATTER OF APPLICATION FOR CHANGE BY )  
KAHLER GLEN GOLF COURSE )  
REQUESTING A CHANGE IN THE PLACE OF USE ) Emergency Drought  
AND POINT OF DIVERSION OF WATER UNDER ) Change Authorization  
SURFACE WATER CERTIFICATE NO. 6519 )  
)

In accordance with the provisions of RCW 43.83B.405, on March 14, 2001, it was ordered and determined by the Director of the Department of Ecology that the State of Washington is under drought conditions. In accordance with the provisions of WAC 176-166-060, the Department of Ecology is under the terms of this Order, issuing an EMERGENCY DROUGHT CHANGE AUTHORIZATION. The intent of this authorization is to alleviate hardships and reduce the burdens on water users arising from the drought conditions.

**Background**

On June 11, 2001, Kahler Glen Golf Course filed an application to change existing water rights in Chelan County to other property in Chelan County. Irrigation on their lands is authorized under existing interruptible water rights subject to interruption under the Wenatchee River Instream Resources Protection Program, WAC 173-545. The application was assigned application number CS4-SWC6519.

WAC 173-166-080 allows the state to authorize temporary transfers of irrigation rights provided that the acreage on the second parcel does not exceed the acreage reduction on the first parcel.

**Surface Water Certificate No. S4-29166C**

Surface Water Certificate No. S4-29166C authorizes the diversion of .33 cubic feet per second (cfs) and 120 acre-feet per year to irrigate 30 acres from Nason Creek. Certificate No. S4-29166C is subject to interruption when the Wenatchee River falls below the minimum flow levels established in Chapter 173-545-030 WAC.

The point of diversion is located approximately 1100 feet south and 500 feet west from the NE corner of Section 33, T. 27 N., R. 17 E.W.M. The place of use is described as:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, T. 27 N., R. 17 E.W.M., Chelan County

The applicant proposes to change the irrigation of 15 acres of non-interruptible water rights of Surface Water Certificate No. 6519 to property down river.

The new place of use contains 15 acres located on property currently provided irrigation water under Surface Water Certificate No. S4-29166C.

Surface Water Certificate No. 6519 with a priority date of June 14, 1955 was issued to Dr. L.E. Hutchinson and authorizes the diversion of 0.555 cubic feet per second (cfs), and 160 acre-feet per year from Nason Creek for the irrigation of 40 acres. The authorized point of diversion is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T. 26 N., R. 16 E.W.M.

The Place of use is described as the N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 3; and the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10, all in T. 26 N., R. 16 E.W.M.

The new emergency point of diversion for Surface Water Certificate No. 6519 will be from an existing point of diversion approximately 7 miles down river and located approximately 1100 feet south and 500 feet west from the NE corner of Section 33, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, T. 27 N., R. 17 E.W.M.

Approximately 15 acres of irrigation will not occur on the authorized place of use this year under Surface Water Certificate No. 6519 and it is proposed that this amount of irrigation be transferred down river.

**Conclusions and Decision**

Authorizing these changes of water rights down river along Nason Creek will not impair existing water rights.

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This **DROUGHT EMERGENCY CHANGE DECISION** authorizes the transfer of 15 acres of irrigation under Surface Water Certificate No. 6519 in Chelan County to property in Chelan County described as follows:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, T. 27 N., R. 17 E.W.M., Chelan County.

A water duty of .01 cfs and 4 acre-feet per acre is authorized for use on the property or .15 cfs and 60 acre-feet per year for the irrigation of 15 acres.

The point of diversion is an existing point of diversion located approximately 1100 feet south and 500 feet west from the northeast corner of Section 33, within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 33, T. 27 N., R. 17 E.W.M.

**Provisions**

The following provisions shall apply to this change authorization:

Within 15 days of receipt of this authorization, the applicant shall submit a map to Ecology showing the lands (15 acres) formerly irrigated under Surface Water Certificate No. 6519 that will not be irrigated under this right and the lands (15 acres) to be irrigated at the new place of use as a result of this change.

A measuring device approved by the Department of Ecology must be installed prior to use of the water.

Bi-weekly (every 2 weeks) readings of the measuring device shall be recorded and shall include the date and time of measurement, water flow rate, volume of water, and the name of the person taking the meter readings. Within 30-days of the end of this irrigation season, the permittee shall send a copy of this data to the Central Regional Office.

This drought emergency authorization expires on October 31, 2001.

APPROVED BY:   
Robert F. Barwin, Section Manager

DATE: 7/5/2001

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Enclosure(s):